

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

JOSHUA FOBBS, §
§
Plaintiff, §
§
v. § CIVIL ACTION NO. 4:22-CV-01030-
§ SDJ-AGD
§
BLAKE SIMMONS, et al., §
§
Defendants. §

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the Report and Recommendation of the United States Magistrate Judge (“Report”), this matter having been referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On September 3, 2024, the Report of the Magistrate Judge, (Dkt. #34), was entered containing proposed findings of fact and recommendation that the Motion to Dismiss (Dkt. #33) be granted and that this case should be dismissed with prejudice under Federal Rule of Civil Procedure 41(b).

Having received the Report of the United States Magistrate Judge, and no timely objections being filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge’s Report as the findings and conclusions of the Court.

It is therefore **ORDERED** that the Motion to Dismiss (Dkt. #33) is **GRANTED**. It is further **ORDERED** that this case is **DISMISSED WITH PREJUDICE**.

It is finally **ORDERED** that any request for relief not addressed by the Report (Dkt. #34) is **DENIED AS MOOT**.

So **ORDERED** and **SIGNED** this 24th day of September, 2024.



SEAN D. JORDAN
UNITED STATES DISTRICT JUDGE